

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SOLOMON PENA,

Plaintiff,

v.

CV 15-230 LH/WPL

THE GEO GROUP, INC., JEFF WRIGLEY,
J.W. BEAIRD, LIZA ELIZONDO, and
KATIE HARRISON,

Defendants.

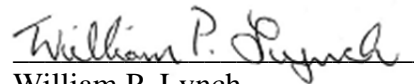
**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR
MORE TIME TO RESPOND TO THE DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT**

Plaintiff Solomon Pena timely requested a thirty-day extension of time to respond to the Defendants' Motion for Summary Judgment. (Doc. 9.) As grounds for this extension, Pena claims that staff at the Lea County Correctional Facility ("LCCF") are preventing him from sending out legal mail on account of his indigent status and that his response is ready, but he is waiting on discovery from the Defendants and Shepard's check information for his cited cases from the New Mexico Supreme Court Law Library. (*Id.*) The Defendants responded and argue that Pena failed to demonstrate good cause for granting the extension because he failed to support his factual claims, he is not entitled to discovery at this stage, the Court does not need Pena's cited authority to be completely updated to rule on a motion for summary judgment, and because he is a "vexatious litigator." (Doc. 10.) I grant in part and deny in part Pena's motion for more time.

Pena has multiple cases pending in this District. Pena agrees that he is entitled to two first class mailings per week free of charge under New Mexico Corrections Department policy, but he seems to complain about having to pay for postage for any additional letters. (*Id.* at 2.)

I agree with the Defendants that Pena's argument for an extension of time to respond fails to state good cause. Pena was previously granted an extension of time to respond on April 21, 2015. (Doc. 8.) Additionally, Pena states that his "memo in opposition [is] complete at this time." (Doc. 9 at 2.) Given that Pena has completed his response, I find that good cause does not exist to grant a thirty-day extension of time to respond. I will allow Pena until May 25, 2015, to file his response to the Defendants' motion for summary judgment. No additional extensions will be granted. Pena is responsible for managing his filings and mailings or for paying postage for letters beyond the two per week that he is allowed free of charge.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge

A true copy of this order was served
on the date of entry--via mail or electronic
means--to counsel of record and any pro se
party as they are shown on the Court's docket.